

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARON GEIGER,

Plaintiff,

V.

JAMES L. COX, JR., an individual, and  
ROSSI, COX & VUCINOVICH, P.C.,  
successor in interest to ROSSI, COX, KIKER  
& INDERWISH, P.C.,

Defendants.

Case No. 4:06cv3055

# MEMORANDUM AND ORDER

This matter comes before the Court on the motion by plaintiff, filing 44, to extend certain dates in the Order for Initial Progression of Case (filing no. 16) and the Order Setting Schedule for Progression of Case (filing no. 23). The relief requested by the plaintiff's current motion is identical to that requested by the joint motion of the parties on October 24, 2006. See filing 40. Although the filing 40 joint motion for continuance was denied for lack of evidentiary support, the plaintiff's pending motion is supported by evidence, and that evidence is sufficient to justify granting plaintiff's requested continuance of the progression deadlines. Since the defendants previously joined in requesting this relief, the court considers the current motion, filing 44, unopposed.

**IT THEREFORE HEREBY IS ORDERED:** The plaintiff's motion to extend deadlines, filing 44, is granted, and

1. The initial progression order deadlines for the disclosure of the names and addresses of expert witnesses are extended for Plaintiff to December 8, 2006, and for Defendants to January 8, 2007.

2. The progression order deadlines for the disclosure of the expert witness statements required by Federal Rule of Civil Procedure 26(a)(2) are extended for Plaintiff to January 15, 2007, and for Defendants to February 15, 2007.

3. The deposition deadline is extended to April 16, 2007, and all deadlines based on the deposition deadline under the Order Setting Schedule for Progression of Case (filing no. 23) are extended accordingly.

4. A Final Pretrial Conference before the undersigned magistrate judge will be held in Lincoln, Nebraska on May 24, 2007, 2007, at 2:00 p.m. The jury trial in this case is set to commence, at the Court's call, during the week of June 11, 2007, for seven trial days, in Lincoln, Nebraska, before the Honorable Richard G. Kopf, United States District Judge.

Dated this 27<sup>th</sup> day of October, 2006.

s/ David L. Piester  
David L. Piester  
United States Magistrate Judge

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